

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

 United States District Court
 Southern District of Texas
 FILED

FEB 03 2015

United States of America

v.

MUNOZ, Enrique

YOB: 1964

United States Citizen

Defendant(s)

Clerk of Court

Case No.

M-15-0169-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2/2/2015 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 841 (a)(1)

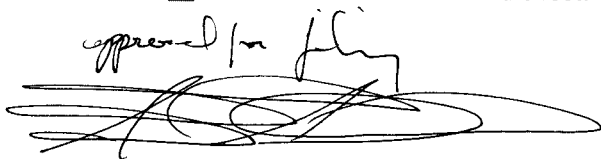
Offense Description

Knowingly and intentionally possess,
 with intent to distribute approximately
 307.27 kilograms of marijuana, a
 Schedule I Controlled Substance under
 the Controlled Substance Act.

This criminal complaint is based on these facts:

On February 2, 2015, United States Border Patrol (USBP) Agents assigned to the Rio Grande City Station were conducting an operation near Fronton, Texas. At approximately 1:30 p.m., USBP Agent Gilberto Salinas was stationary inside Cenizo Ranch scanning an area known to Agents as the lower fields of Fronton with binoculars.

☒ Continued on the attached sheet.

approved for filing


/s/

Sworn to before me and signed in my presence.

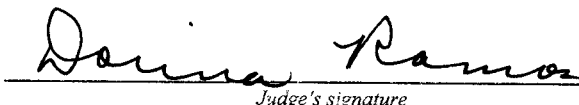
Date: 2/3/2015City and state: McAllen, Texas



Complainant's signature

Erik Lambel, Special Agent, DEA

Printed name and title



Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

At approximately 1:40 p.m., Agent Salinas was able to see a gray Jeep SUV driving away from the Rio Grande River across the lower fields of Fronton at a high rate of speed. Based on Agent Salinas' experience as a Border Patrol Agent, this type of vehicle and the speed it was traveling was consistent with that of a possible narcotics load vehicle. The vehicle continued to drive across the lower fields of Fronton until arriving to F.M. 650. At this time the vehicle started to head north on F.M. 650. Agent Salinas proceeded to exit Cenizo Ranch and head south on F.M. 650. As Agent Salinas headed south on F.M. 650, he noticed the gray Jeep Grand Cherokee bearing TX LP's DMV 5406 heading north. As Agent Salinas and the Jeep crossed paths, Agent Salinas observed what appeared to be a bundle of marijuana wrapped in clear cellophane tape in the front passenger seat vehicle. Based on that observation, Agent Salinas decided to turn around to conduct a vehicle stop. As Agent Salinas turned his service vehicle around to conduct a vehicle stop, Agent Salinas observed the Jeep Grand Cherokee come to an abrupt stop. Agent Salinas pulled up to the Jeep Cherokee and observed the driver exit his vehicle, place his hands in the air, and laid down prone on the ground. Agent Salinas exited his Service unit and placed the suspect in handcuffs. Agent Salinas observed the vehicle was loaded with narcotics. Agent Salinas relayed this information to surrounding Agents as he secured the driver. Additional Border Patrol Agents arrived to the scene and assisted in securing the driver, identified as Enrique MUNOZ and the narcotics. A search of the brush conducted for additional narcotics turned up negative. Border Patrol Agents transported MUNOZ and the narcotics to the Rio Grande City Border Patrol Station for processing. Upon arriving at the Rio Grande Station, USBP Agents weighed (35) thirty-five bundles of marijuana wrapped in clear cellophane tape weighing approximately 307.27 kilograms.

On February 2, 2015, DEA Special Agent Joseph Behlke was contacted regarding the arrest of MUNOZ and seizure of marijuana. At approximately 5:30 p.m., SA's Joseph Behlke, Eric Benavides and Erik Lambel responded to the USBP Rio Grande City Border Patrol Station and were advised of the details regarding the case. At approximately 5:37 p.m., SA Erik Lambel read Enrique MUNOZ his Miranda rights as witnessed by SAs Behlke and Benavides. At this time MUNOZ stated he understood his rights and agreed to make a statement. MUNOZ stated he was driving home from visiting his friends in Fronton when he observed bundles of marijuana lying in the Fronton cemetery. MUNOZ stated he loaded his vehicle with the marijuana bundles and intended to sell it locally. MUNOZ stated he filled his truck bed with the bundles but some were still left at the cemetery when he departed. MUNOZ stated he was going to drive the marijuana to his residence in Roma, Texas when Border Patrol stopped him. MUNOZ stated that he borrowed the vehicle

from a friend approximately a week prior to his arrest. MUNOZ indicated this was his first time transporting marijuana.